



**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA**

www.flmd.uscourts.gov

MEMORANDUM

UNITED STATES OF AMERICA

-VS-

Case No. 2:02-m-1056DNF

BIODUN WILLIAMS

DATE: June 14, 2002

Your Case No.: 00-6367-CR-DIMITROULEA

TO: United States District Court
Southern District of Florida
Federal Courthouse Square
301 North Miami Avenue
Miami, FL 33128-7788

FROM: Kimberly Arnett, Acting Courtroom Deputy for
John E. Steele, United States District Judge
(941) 461-2008
U.S. Courthouse
2110 First Street
Fort Myers, Florida 33901

SUBJECT: Rule 40 Proceedings

The above-styled case originated in your division. Enclosed please find certified copies regarding proceedings held in the Middle District of Florida in Fort Myers, Florida wherein the following action was taken:

INITIAL APPEARANCE: JUNE 10, 2002

RELEASE/DETENTION: The Defendant was ordered detained and removed to the charging district.

SCHEDULED HEARING: Upon notice by the charging district.

CHARGING DOCUMENT: Indictment

Enclosures

Original: Charging District

Copies: U.S. Marshal, Pretrial/Probation, U.S. Attorney, Defense Counsel, Magistrate Case File

10/09



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MEMORANDUM

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FILED
JUN 14 2002
CLERK OF DISTRICT COURT
S.D. OF FLA.-FTL

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

2002 JUN 10 AM 4:58
CLERK U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

FILED

UNITED STATES OF AMERICA

COMMITMENT

-VS -

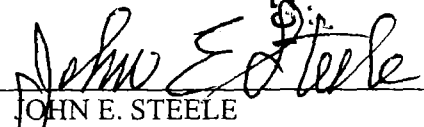
TO ANOTHER DISTRICT

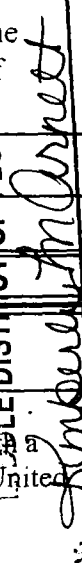
BIODUN WILLIAMS

CASE NO. 2:02-M-1056DN

CHARGES		
Charging Document	Statute	Charging District
Indictment	18 U.S.C. § 1344	Southern District of Florida
		00-6367-CR-DIMITROULEA
Description: Bank Fraud		

PROCEEDINGS	
BOND STATUS:	Government moved for detention. Defendant waives detention hearing in the Middle District and will be detained pending detention hearing in District of Florida.
COUNSEL:	Retained Own Counsel
INTERPRETER:	No interpreter necessary

To: THE UNITED STATES MARSHAL		
<p>You are hereby commanded to take custody of BIODUN WILLIAMS and to transport the defendant with a certified copy of this Commitment Order forthwith to the Charging District and there deliver him to the United States Marshal for that District or to some other officer authorized to receive the defendant.</p>		
<p>June 10, 2002</p>		<p> JOHN E. STEELE UNITED STATES DISTRICT JUDGE</p>
RETURN		
Commitment Order Received:	Place of Commitment:	Date Defendant Committed:
Date	United States Marshal	By Deputy Marshal

CERTIFY THE FOREGOING TO BE A TRUE
 AND CORRECT COPY OF THE COMMITMENT
 ORDER OF THE UNITED STATES DISTRICT COURT
 FOR THE MIDDLE DISTRICT OF FLORIDA
 FORT MYERS DIVISION
 BY: 
 DEPUTY CLERK

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Copies: Charging District, U.S. Marshal, U.S. Pretrial or U.S. Probation, U.S. Attorney, Defense Counsel

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

-vs-

BIODUN WILLIAMS

FILED
2002 JUN 10 PM 4:57
CLERK OF DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION
Case No. 02-02-1056DNF

ORDER OF TEMPORARY DETENTION
PENDING HEARING¹ PURSUANT TO
BAIL REFORM ACT

Upon waiver of a detention hearing in the Middle District of Florida by the Defendant, it is **ORDERED** that a detention hearing shall be held in the Southern District of Florida upon notice. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Date: June 10, 2002

John E. Steele
JOHN E. STEELE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION
I CERTIFY THE FOREGOING TO BE A TRUE
AND CORRECT COPY OF THE
ORIGINAL FILED IN THE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION
BY: *Kimberly M. Annett*
DEPUTY CLERK

¹If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the government or upon the judicial officer's own motion, if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness or juror.

AO 466 (Rev. 8/01) Waiver of Rule 40 Hearings

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION

UNITED STATES OF AMERICA

-VS-

BIODUN WILLIAMS

Case No. 2:02-m-1056DNF

WAIVER OF RULE 40 HEARINGS
(All Criminal Cases)

I understand that charges are pending in the , understand that in the Southern District of Florida, charges are pending alleging violation of 18:1344 and that I have been arrested in this District and taken before a United States Magistrate Judge, who informed me of the charge and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel,
- (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed.R.Crim.P.,
in order to plead guilty,
- (3) an identity hearing to determine if I am the person named in the charge, and
- (4) a preliminary examination [unless an indictment has been returned or an information on
filed] to determine whether there is probable cause to believe an offense has been
committed by me, the hearing to be held either in this district or the district of
prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N): and that I have been arrested in this district and taken before
a United States magistrate judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;

I CERTIFY THE FOREGOING TO BE A TRUE
AND CORRECT COPY OF THE ORIGINAL.
ALL LOCESON, CLERK
UNITED DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
Kimberly Arnett
DEPUTY CLERK

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AO 466 (Rev. 8/01) Waiver of Rule 40 Hearings

- Check one only -

[] **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

- (3) a preliminary examination (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

[] **PROBATION OR SUPERVISED RELEASE CASES:**

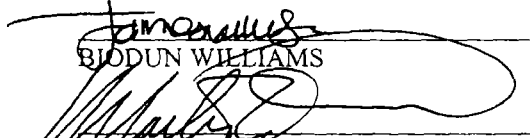
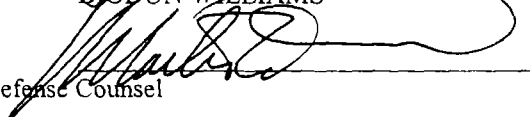
- (3) a preliminary examination (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release; and
- (4) a hearing under Rule 46 (c), Fed. R. Crim. P., in which I have the burden of establishing my eligibility for release.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ☒ identity hearing
- ☒ preliminary examination
- ☐ identity hearing and have been informed I have no right to a preliminary examination
- ☐ identity hearing but request a preliminary examination to be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

6/10/02

June 10, 2002


BLODUN WILLIAMS

Defense Counsel

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

-vs-

BIODUN WILLIAMS

Case No. 02-mj-056DNF

FILED
2002 JUN 10 PM 4:57
CLERK OF DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT MYERS DIVISION

ORDER APPOINTING COUNSEL PURSUANT TO
THE CRIMINAL JUSTICE ACT

This Court has determined that the above-named defendant is financially unable to obtain adequate representation in the above-styled case, and is otherwise qualified for appointment of counsel. Accordingly, the Court makes the following appointment pursuant to the Criminal Justice Act (18 U.S.C. § 3006A):

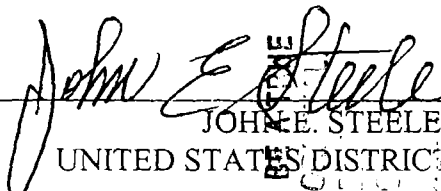
APPOINTMENT OF COUNSEL

- The Federal Public Defender is appointed as counsel for the Defendant.

TYPE OF APPOINTMENT

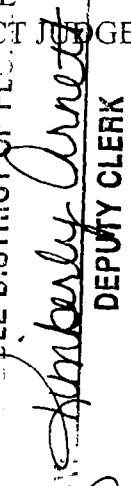
- Rule 40 Proceedings in this District

DONE and **ORDERED** in Fort Myers, Florida this 10th day of June, 2002.


JOHN E. STEELE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Federal Public Defender

I CERTIFY THE FOREGOING TO BE TRUE AND CORRECT COPY OF THE COURT'S ORDER.
COURT CLERK
L. LOESCH
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DEPUTY CLERK

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

UNITED STATES OF AMERICA

-vs-

BIODUN WILLIAMS

Case No. **2:02-m-1056DNF**

AUSA: Samuel Armstrong
Deft. Atty.: Martin DerOvanesian

JUDGE:	John E. Steele	DATE:	June 10, 2002
DEPUTY CLERK:	Kimberly Arnett	TAPE/REPORTER:	Official Court Reporter - Brenda Alexander
INTERPRETER:		PRETRIAL/PROBATION:	Elizabeth A. Wilson

CLERK'S MINUTES

INITIAL APPEARANCE (Rule 40- SDFL)

Date of Arrest: 6/10/02

Defendant states true name: James Williams.

Court summarizes charges and penalties. Defendant informs the court that he has retained counsel in Miami. Defendant sworn as to financial conditions. Court appoints the public defender for proceedings in Fort Myers.

Defendant wishes to waive the identity hearing. Defendant further waives the detention hearing in Fort Myers and reserves the right to a hearing in Miami.. Defendant will be detained and removed to the Southern District of Florida.

I CERTIFY THE FOREGOING TO BE TRUE
 AND CORRECT COPY OF THE ORIGINAL.
 CHERYL L. LOESCH, CLERK
 UNITED STATES DISTRICT COURT
 MIDDLE DISTRICT OF FLORIDA
 BY: *Kimberly Arnett*
 DEPUTY CLERK